

### **REMARKS**

Claims 4-12, 14-18, 20, 21, 32-35, 44-48 and 59-61 are presently pending in the application. Claims 1-3, 8-10, 13-16, 19, 21-31, 34, 36-47, 49-58, 60 and 61 are rejected. Claims 4-7, 11, 12, 17, 18, 20, 32, 33, 35, 48 and 59 are objected to. Claims 1-3, 13, 19, 22-31, 36-43 and 49-58 have been cancelled. Claims 4, 7, 8, 11, 14, 17, 20, 21, 32-35, 44, 48 and 59-61 have been amended. The specification and drawings stand as filed.

Reconsideration of the objections and rejections set forth in the aforementioned Office Action is respectfully requested in view of the following remarks. The basis for the amendments can be found throughout the Specification, Claims and Drawings as originally filed.

### **CLAIM REJECTIONS – 35 U.S.C. § 112**

Claim 22 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicants regard as the invention.

Applicants have cancelled Claim 22. Accordingly, Applicants respectfully request withdrawal of the § 112 rejection.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-3, 8-10, 13-16, 19, 21-31, 34, 36-47, 49-58, 60-61 are rejected under 35 U.S.C. § 102(b) as being anticipated by Seccombe et al. (U.S. Pat. No. 3,988,925).

Claims 8, 14, 21 and 60-61 have been amended to overcome the Examiner's rejections.

Claims 1-3, 13, 19, 22-31, 36-43 and 49-58 have been cancelled. With regard to claims 44-47, Applicants have amended claim 44 to note that the method includes sensing values associated with valve lash adjusted screw rotation as a function of valve lash adjusting screw torque. Applicants have removed reference to sensing values associated with valve displacement and rocker arm displacement. Accordingly, Applicants respectfully submit that Seccombe et al. does not disclose a method of setting valve lash for an internal combustion engine as presently recited in amended claim 44. Accordingly, Applicants respectfully request withdrawal of the § 102 rejection.

#### **ALLOWABLE SUBJECT MATTER**

Claims 4-7, 11-12, 17-18, 20, 32-33, 35, 48 and 59 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants have re-written certain objected claims to place them in independent form. Claim dependencies have also been corrected where appropriate. Applicants respectfully submit that claims 4-12, 14-18, 20, 21, 32-35, 44-48 and 59-61 are presently in condition for allowance.

#### **CONCLUSION**


All of the grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider

all presently outstanding objections and rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding office action, and as such, the present application is in condition for allowance.

If it is believed that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600. Prompt and favorable consideration of this amendment is respectfully requested.

Respectfully submitted,

Dated September 17, 2004

By   
Donald G. Walker – Reg. No. 44390  
Attorneys for Applicants

Harness, Dickey & Pierce, P.L.C.  
P. O. Box 828  
Bloomfield Hills, Michigan 48303  
Phone: 248/641-1600  
Facsimile: 248/641-0270

DGW/jmm